

**FILED**

General Complaint

FEB 12 2016

Clerk, U.S. District Court  
Texas Eastern

Jaime "James" Roa

Case Number:

4:16cv115

Judge Margaret  
Judge Newark

List the full name of each plaintiff in this action.

VS.

Corporation known as "City of Denison"

(Jared Johnson, Jud Rex, Gabe Reaume,

Philip Shaffer, Michael Fitzpatrick)

List the full name of each defendant in this action.

Do not use "et al".

Attach additional pages if necessary.

**I. ATTEMPT TO SECURE COUNSEL:**

Please answer the following concerning your attempt to secure counsel.

A. In the preparation of this suit, I have attempted to secure the aid of an attorney as follows: (circle one)

1. Employ Counsel
2. Court - Appointed Counsel
3. Lawyer Referral Service of the State Bar of Texas,  
P. O. Box 12487, Austin, Texas 78711.

B. List the name(s) and address(es) of the attorney(s):

R.E. Attorney James L Moss 104 W Main St. Gainesville, TX 76240

Attorney Bobbie Peterson Cate 120 S. Crockett. Sherman, TX 75090

Attorney Pam McGraw. 280 W. Cherry St. Sherman, TX 75090

C. Results of the conference with counsel:

Att. Moss wanted \$10,000 to start. I do not have that money.

Att. Bobbie Peterson deals with other criminal cases.

Att. McGraw couldn't help me. No time. Busy with other cases.

II. List previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts\* involved in this action or any other incidents?  Yes  No

(\* only some facts)

B. If your answer to "A" is "yes", describe the lawsuit in the space below.  
If there is more than one lawsuit, attach a separate piece of paper describing each.

1. Approximate file date of lawsuit: September 18, 2013

2. Parties to previous lawsuit(s):

Plaintiff Jaime "James" Roa

Defendant City of Denison (Mayor Johnson, Frmr. City Manager

Robert Hanna, Develop. Direct. Tom Speakman, Chief Off. Dale Jackson, Council Members.)

Attach a separate piece of paper for additional plaintiffs or defendants.

3. Identify the court the lawsuit was filed. If federal, name the district. If state, name the county.

Grayson County . 15th Judicial District .

4. Docket number in other court. CV-13-1732

5. Name of judge to whom the case was assigned.

Jim Fallon

6. Disposition: Was the case dismissed, appealed or still pending?

Appealed at 5th Ct. of Appeals at Dallas, TX

Case # 05-13-01594-CV

7. Approximate date of disposition. April 28, 2015

III. Parties to this suit:

A. List the full name and address of each plaintiff:

Pla #1 Jaime "James" Roa  
\_\_\_\_\_  
\_\_\_\_\_

Pla #2 \_\_\_\_\_

B. List the full name of each defendant, their official position, place of employment and full mailing address.

Dft #1: Jared Johnson, Mayor

500 West Chestnut P.O. Box 347  
Denison, TX 75021

Dft #2: Jud Rex, City Manager

500 West Chestnut P.O. Box 347  
Denison, TX 75021

Dft #3 Gabe Reaume, City Development Services Director.

500 West Chestnut  
Denison, TX 75021

Dft#4 Philip Shaffer, Judge

500 W Chestnut

Denison, TX 75021

Dft#5 Michael Fitzpatrick, Code Enforcement Officer II

430 W Chestnut. P. o. Box 347

Denison, TX 75021

Dft#6 Betty Floyd, Building Official

430 W Chestnut. P.O. Box 347

Denison, TX 75021

IV: STATEMENT OF CLAIM

State as briefly as possible the fact of your case. Describe how each defendant is involved. Include the names of other persons involved with dates and places. Do not give any legal arguments or cite cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need, attaching additional pages if necessary.

#1: ~ 2008/ 9 Harassment and intimidation towards Plaintiff started very early, almost as soon as I moved to the City of Denison. Soon after I bought my home, I got sick while working on it. Had to fly back to California, where I had my doctors that could help me. In the meantime , the lawn grew taller. When I came back to Denison, there was an order for my arrest written by City of Denison's Code Enforcement Officer Michael Fitzpatrick

#2: April 19,2013 :I received an offer to purchase my building .Plaintiff received a call from the City Manager, who wanted to speak about the building. We met at his office. He wanted to know how he could help the transaction take place. I shared with him how I felt about the offer, and the idea the buyer had, of demolishing the building and putting a store, instead. I did not think it was right and did not want to sell. Instead, I wanted to work on the building and The Benjamin Franklin Castle: A Multicultural Center and Chess Academy idea I had. The City Manager's offer: sign contract or "city would press with the ordinances. We can use them on a daily basis if we want to.", he said. Coercion began.

#3 At the same meeting the city manager said to me: " Don't you know what corporations can do?" I responded "No". Back then , I did not know the city was a corporation or the kind of evil things corporations can do. But, I would learn about it soon, as I started to get threatening letters from the city's code enforcement officers, that culminated with two letters coming from the city the same day :one letter saying I had 30 days to demolish building , the other letter said I had 30 days to repair the building. While , article from the Herald Democrat (December12, 2013), said the building ,where the NGS offices are, took 15 years to remodel. Another building's owner also had 15 years to fix it. Quite a Discrimination: others got 15 years to repair their buildings, I only got days. A big abuse of power, here.

#4 : July 1, 2013: Received citation to appear in court for not having fixed building.

#5: Jul. 18,2013 I declared myself "not guilty" of the Minimum Standards charges. I had been working cleaning inside the building , but judge Philip Shaffer "found" me "guilty" and fined me \$150 dollars.

#6 ~ Aug. 2013: I went to Chief Building Official Jackson to ask for permit to work on building. He said , he had been told not to give any permits on my building.

#7: August 19, 2013. City Council meeting. At the hearing to determine the fate of the building, there was no analysis that would be required to make such decision. Chief Building Official Dale Jackson said he had not been inside the building, ( a sine qua non condition to produce an authentic report), but felt the building should be demolished.

#8 : Immediately, the then City Manager Robert Hanna moved to have the building demolished, , after consulting with attorney Fort , who was seated next to him.

#9 : Mayor Jared Johnson presiding the council meeting asked how many in agreement to demolish the building, and in seconds, the Council approved the demolition “unanimously”!, without substantive due process. And the mayor did not suggest to have 10 days to pull permit and six months to complete the work, like he suggested in a recent case. Clear discrimination here. This meeting had a lot of people, including Denison Police Chief Jay Burch.

#10: ~Aug. 19, 2013. Mayor and former city manager said they would be behind my project, if I could pull it off. Now , that I have spoken with the investors and got their cooperation, mayor is not honoring his promise.

#11: August 20 , 2013 : An article appears on the first page of the Herald Democrat announcing the “unanimous” decision to demolish my building. Quite a birthday present I got: a conspiracy from city hall.

#12: August -Oct. 2013 I received several harassing letters from the city.

#13 September 27, 2013. By then, many concerns expressed by city in August 2013 had been addressed: Chimney turned into castle, SW corner fixed, broken glass removed, etc. City never acknowledged the work done. Nothing positive from the city. City wants to destroy my art work: making my building look like a castle.

#14: ~ Sep. 2013 :City entered building without an affidavit. Fire Department broke a lock and damaged a door to get in. Inside, a Sergeant from the Denison Police Department said the building had been scheduled for demolition a few years back. I said that just because it was scheduled for demolition, it did not mean there was justification for its demolition. Then, the sergeant replied:” If I were not in uniform , I’d show you my opinion “. I said: “What’s that supposed to mean?”. His reply: “ It means what it means!”. That was pretty scary.

#15 The related incident in the previous paragraph happened in the presence of my Attorney, Dale Jackson, the fire department representative, my brother and my attorney’s friend. Just minutes before, in the same spot on the first floor of the building, and in the presence of the people mentioned I had said to Chief Building Official Dale Jackson, now that you are inside the building, do you think the building needs to be demolished? He said, “No”. Then , he added, ”But , I can’t say anything because it is in litigation”

#16: October 2013 : I appealed the decision to the 15<sup>th</sup> Court , presided by Judge Jim Fallon. At the hearing, the Judge disrespected and threatened my African-American Attorney, who got very nervous. He became quiet. The judge chose to believe the false statements the attorney for the city made (building inhabited and dangerous), did not care about the strong arguments my attorney made did not allow me to speak and without allowing any evidence to be presented, he later ruled in favor of the city! So, I had no other choice than to let my attorney go, and represent myself. More discrimination.

#17: January 21, 2014 It was “difficult” to obtain transcript from Judge Fallon’s office, and when it is obtained, it has missing portions. Wrote letter to Janet Kamras, 15<sup>th</sup> Ct. ( reporter). More intimidation here.

#18: Jul. 11, 2013: Dale Jackson sent me letter putting my property at 517 W Owings On the Demolition List. I wrote letter back saying I did not want it demolished. More Intimidation from city , so that I would give up my building.

#19: Sep.25,2013: Submitted application for Permit to put a new roof on my property at 517 W Owings St. City never approved permit. Instead,

#20: Jan.23,2014 : Received letter and citation from city for Minimum Standards on my property at 517 W Owings St. in Denison, TX , written by code enforcement Officer Carla Sullins.

#21: March 6, 2014: I appeared in court for citation on 517 W Owings. Showed Application for Permit that was denied by city, to judge Shaffer. I presented six arguments in my favor: one of them being that with no approval of permit and all the harassment I had to put the property up for sale with a local Real Estate Agency. He did not care about my arguments. Instead, he yelled at me in an extremely angry way : “ I find you guilty. It is \$ 150 fine, if you don’t like it , you can appeal!”.

#22 A few days later , I paid the fine, otherwise I would have gotten arrested , as someone explained to me how the city does its business.

#23: 10-27-14 Sold my property at 517 W Owings, after months of my RE Agent Rita having great difficulty selling property because city officials tried to always scare buyers away. New owner got all permits and has made the house look like new. House was not demolished. But, I lost profits because I could not fix house and rent it out or sell it .

#24: Oct. 20, 2015: Gabe Reaume, Director of Development Services, sent me a letter saying the city was going to proceed with the demolition of my building because the council had said so. I wrote him a letter saying I suggested he read what I had written about it because there was no reason to demolish my building. More abuse.

#25: Jan-1-16 I requested a permit to put fence around building and, in the near future, fix it and transform it into apartments. City did not respond promptly.

#26: Jan 19, 2016 I went to the office of City Manager Jud Rex , at his secretary's request. He told me city was going to demolish my building in about two weeks. I asked Him if he had read what I had written about that, he said "yes". I asked him if he just followed orders without researching how decisions were made. He added that he was just following the council's orders. I said he was denying me the right to work, because I had spoken with the investors to convert the building into apartments. He said that was to be decided by the courts. City takes no responsibility.

#27: Jan 19,2016 City Manager Jud Rex told me in his office the city was not giving me the permit. They were going to demolish the building first, then they would love to talk about any projects. He said he was just following orders from the council

#28: At the end of our meeting Rex said the building was dangerous. I replied : "There is absolutely nothing dangerous about my building. The only dangerous thing is the way city officials are thinking, because it is an attack on democracy, freedom and justice."

#29: At this meeting, Rex also spoke of the need to demolish building because it costs more to repair building because of deterioration. This sounded most irrational and abusive. This historic building is worth millions of dollars in its present condition.

#30: Jan 20,2016 : A letter, from Gabe Reaume, was placed on my building, stating demolition would start on or after February 1, 2016, with c.c. for City Attorney Courtney Goodman-Morris, Jud Rex, and Betty Floyd.

#31: Jan. 21, 2016: Received letter from Betty Floyd denying permit for fence, but not mentioning request for building apartments. Very irrational approach by the city. More Psychological abuse.

#32: Jan. 22,2016: Herald Democrat article written by Michael Hutchins makes city and Courts look like they did everything right and according to the law. But, article failed to mention the different violations of my rights that took place along my appeal. When I asked why he had not written about it, he said he needed to verify info first. But, I had given him the case number months before.

#33: Feb. 3, 2016: Denison City Attorney Courtney Goodman-Morris resigned. I believe she was probably telling them what the law said about how to do business . But, they didn't like it. City has hired in the meantime, the same law firm that had an attorney present at the council meeting of Aug. 19,2013, next to former city manager Robert Hanna.

#34: ~Feb. 5, 2016: Gabe Reaume said on TV interview that my building "is beyond repair", an incredibly unrealistic and absurd thing to say . Since I did not want to sell my building, city decided to destroy it using lies and legalese. Building is structurally in excellent shape, all the work it needs is cosmetic. This is a case of racism, envy, greed. At the same time, minorities are kept from making progress economically.

V. Relief: State Briefly exactly what you want the court to do for you. Make no legal arguments and do not cite cases or statutes. Attach additional pages if necessary.

To declare the order of demolition unlawful and void and of no force or effect and permanently enjoin its enforcement by defendant.

Plaintiff to be able to get all necessary permits from the city to continue work on the building, and to have his rights under the Older Americans Act (OAA), Americans with Disabilities Act Amendments Act (ADAAA), US Constitution and other laws, acknowledged and honored by the Defendant.

Plaintiff to have judgment against Defendant in the amount of US \$6,000,000 (Six million dollars) for reasons explained in this complaint: Not being able to work on his building for almost three years, psychological abuse, intimidation, harassment, racial discrimination, deceptive practices, violations of his legal rights, building's deterioration, retaliation for not having signed contract, etc.

Signed this Twelfth (12) day of February, 20 16.  
(Month) (Year)

Jaime Roz  
P.O. Box 1853  
Denison, TX 75021

I declare (certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on: Feb 12, 2016  
Date

Jaime Roz  
P.O. Box 1853  
Denison, TX 75021  
Signature of each plaintiff